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EXAMINER
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DANIEL JR, WILLIE J

ART UNIT	PAPER NUMBER
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2617

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



### DETAILED ACTION

1. This action is in response to applicant's amendment filed on 28 May 2008. **Claims 1-5, 7-9, 13-16, 18-20, 23-26, 28-29, 32-33, 35-36, and 40-45** are now pending in the present application and **claims 6, 10-12, 17, 21-22, 27, 30-31, 34, and 37-39** are cancelled. This office action is made **Final**.

### *Claim Objections*

2. The objection applied to the claim is withdrawn, as the proposed claim correction is approved.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-5, 7-9, 13-16, 18-20, 23-26, 28-29, 32, 35-36, and 40-45** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Dent et al.** (hereinafter **Dent**) (**US 6,246,870 B1**) in view of **Martineau** (**US 5,915,226**).

Regarding **claim 1**, **Dent** discloses a system for handling a plurality of accounts (see col. 5, lines 7-11), comprising:

a radiotelephone (500) which reads on the claimed "wireless device" having software which internally stores and manages a plurality of accounts each having an internal account

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balance (see col. 5, lines 38-50; col. 6, lines 6-43; Figs. 6-7 and 8 “ref. 730”), where the radiotelephone (500) has a cellular subscription and satellite subscription,

calculates charges (e.g., communication units usage) for a communication involving said wireless device (500) (see col. 5, lines 38-39; col. 6, lines 6-43; col. 9, lines 31-50), where the terminal performs computations of cumulative communication usage units,

wherein said software selectively uses said calculated charge to charge one of the plurality of internally stored accounts for said communication (see col. 5, lines 38-50; col. 6, lines 6-43; col. 8, lines 36-41, 51-58; Figs. 6-7 and 8 “ref. 730”), where the user of the radiotelephone (500) can select one the subscriptions based on factors such as remaining free minutes and lowest tariffs. Dent does not specifically disclose having the feature allows transfer of amounts amongst said internal accounts. However, the examiner maintains that the feature allows transfer of amounts amongst said internal accounts was well known in the art, as taught by Martineau.

In the same field of endeavor, Martineau discloses the feature allows transfer of amounts amongst said internal accounts (see col. 7, lines 23-29, 35-37; col. 4, lines 2-3), where the handset has a prepaid account and a SIM account in which units are exchanged between the SIM (8) and prepaid card (10) (see Figs. 1-3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Dent and Martineau to have the feature allows transfer of amounts amongst said internal accounts, in order to provide a prepaid telephone service that has enhanced security, as taught by Martineau (see col. 3, lines 14-16).

Regarding **claim 2**, the combination of Dent and Martineau discloses every limitation claimed, as applied above (see claim 1), in addition Dent further discloses the system according to claim 1 further comprising: a user interface to allow a user to determine which of said internally stored accounts should be charged for the communication (see col. 6, lines 56-60; col. 3, lines 19-25; col. 5, lines 28-41; col. 7, line 66 - col. 8, line 8; col. 8, lines 30-32), where the user initiate communication with either the satellite or terrestrial radiotelephone communications systems.

Regarding **claim 3**, the combination of Dent and Martineau discloses every limitation claimed, as applied above (see claim 1), in addition Dent further discloses the system according to claim 1 wherein the software uses an algorithm to automatically select one of the plurality of internally stored accounts to be charged for said communication (see col. 2, lines 64-67; col. 6, line 24-27), where the system selects either the satellite or terrestrial radiotelephone communications systems.

Regarding **claim 4**, the combination of Dent and Martineau discloses every limitation claimed, as applied above (see claim 3), in addition Dent further discloses the system according to claim 3 wherein selection of which account is to be charged among said plurality of accounts depends on origin or destination of the communication (see col. 9, lines 26-28,32-35; col. 7, lines 38-41,44-50), where the system has a tariff which is considered for determining which system to use for communication sessions or calls.

Regarding **claim 5**, the combination of Dent and Martineau discloses every limitation claimed, as applied above (see claim 1), in addition Dent further discloses the system

according to claim 1 wherein said communication is a data communication (see col. 4, lines 20-24).

Regarding **claim 7**, the combination of Dent and Martineau discloses every limitation claimed, as applied above (see claim 1), in addition Dent further discloses the system according to claim 1 wherein the wireless device (500) is a mobile phone (500) (see col. 6, lines 47-51; Figs. 6-7).

Regarding **claim 8**, the combination of Dent and Martineau discloses every limitation claimed, as applied above (see claim 1), in addition Dent further discloses the system according to claim 1 wherein said software resides on a smart card (100) attachable to the wireless device (500) (see col. 6, lines 6-10, 61-67; col. 7, lines 38-41, 44-50; col. 9, lines 32-43).

Regarding **claim 9**, the combination of Dent and Martineau discloses every limitation claimed, as applied above (see claim 1), in addition Dent further discloses the system according to claim 1 wherein said software resides on an internal memory (40) in the wireless device (500) (see col. 9, lines 40-43).

Regarding **claim 13**, Dent discloses the system according to claim 1 wherein the plurality of accounts includes a postpaid account and a prepaid account (see col. 5, lines 55-61). Dent inexplicitly discloses having the feature(s) a prepaid account. However, the examiner maintains that the feature(s) a prepaid account was well known in the art, as taught by Martineau.

As further support in the same field of endeavor, Martineau discloses the feature(s) a prepaid account (see col. 6, lines 19-20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Dent and Martineau to have the feature(s) a prepaid account, in order to provide a prepaid telephone service that has enhanced security, as taught by Martineau (see col. 3, lines 14-16).

Regarding **claim 14**, the combination of Dent and Martineau discloses every limitation claimed, as applied above (see claim 1), in addition Dent further discloses the system according to claim 1 wherein at least one of the plurality of accounts has usage limit (see col. 5, lines 43-50); and

wherein the ability of the user to use the wireless device is restricted when the usage limit is exceeded (see col. 8, lines 30-37; col. 9, lines 45-48). As a note, Martineau discloses having the feature(s) wherein at least one of the plurality of accounts has usage limit; and wherein the ability of the user to use the wireless device is restricted when the usage limit is exceeded (see col. 7, lines 63-65).

Regarding **claim 15**, Dent discloses a radiotelephone (500) which reads on the claimed “wireless device” capable of communicating within a network (see col. 6, lines 47-51; Figs. 6-7), comprising:

software within the wireless device (500) to store a plurality of accounts each having an internal account balance (see col. 5, lines 38-50; col. 6, lines 6-43; Figs. 6-7 and 8 “ref. 730”), where the radiotelephone (500) has a cellular subscription and satellite subscription, calculates charges (e.g., communication units usage) for a communication involving said wireless device (500) (see col. 5, lines 38-39; col. 6, lines 6-43; col. 9, lines 31-50), where the terminal performs computations of cumulative communication usage units,

a user interface to allow a user to selectively determine which one of the plurality of internally stored accounts will be charged for said communication using said calculated charges (see col. 8, lines 1-5; col. 5, lines 38-50; col. 6, lines 6-43; col. 8, lines 36-41, 51-58; Figs. 6-7 and 8 “ref. 730”), where the user of the radiotelephone (500) can select one the subscriptions based on factors such as remaining free minutes and lowest tariffs. Dent does not specifically disclose having the feature allow transfer of amounts amongst said internal accounts. However, the examiner maintains that the feature allow transfer of amounts amongst said internal accounts was well known in the art, as taught by Martineau.

Martineau further discloses the feature allow transfer of amounts amongst said internal accounts (see col. 7, lines 23-29, 35-37; col. 4, lines 2-3), where the handset has a prepaid account and a SIM account in which units are exchanged between the SIM (8) and prepaid card (10) (see Figs. 1-3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Dent and Martineau to have the feature allow transfer of amounts amongst said internal accounts, in order to provide a prepaid telephone service that has enhanced security, as taught by Martineau (see col. 3, lines 14-16).

Regarding **claims 16, 18-20, and 23-24**, the claims as applied to claim 15 are rejected for the same reasons as set forth above in **claims 5, 7-9, and 13-14** respectively.

Regarding **claim 25**, Dent discloses a mobile phone (e.g., radiotelephone 500) (see Figs. 6-7) comprising:

a first line (e.g., first communication system) and a second line (e.g., second communication system) to both make and receive calls (see col. 7, lines 41-50), where the



radiotelephone can communicate with multiple systems such as a cellular and satellite system; and

software residing in the mobile phone and configured to store and manage a plurality of internally stored accounts each account having an internal balance (see col. 5, lines 38-50; col. 6, lines 6-43; Figs. 6-7 and 8 “ref. 730”), where the radiotelephone (500) has a cellular subscription and satellite subscription,

to calculate charges for a call made or received by the mobile phone (500) (see col. 5, lines 38-39; col. 6, lines 6-43; col. 9, lines 31-50), where the terminal performs computations of cumulative communication usage units,

wherein said software selectively charges one of the plurality of internally stored accounts for said call using said calculated charge (see col. 8, lines 1-5; col. 5, lines 38-50; col. 6, lines 6-43; col. 8, lines 36-41, 51-58; Figs. 6-7 and 8 “ref. 730”), where the user of the radiotelephone (500) can select one the subscriptions based on factors such as remaining free minutes and lowest tariffs;

wherein calls made or received via the first line (e.g., first communication system) are charged to one of the plurality of accounts and calls made or received via the second line (e.g., second communication system) are charged to another one of the plurality of accounts (see col. 5, lines 38-50). Dent does not specifically disclose having the feature to allow transfer of amounts amongst said internal accounts. However, the examiner maintains that the feature to allow transfer of amounts amongst said internal accounts was well known in the art, as taught by Martineau.

Martineau further discloses the feature to allow transfer of amounts amongst said internal accounts (see col. 7, lines 23-29,35-37; col. 4, lines 2-3), where the handset has a prepaid account and a SIM account in which units are exchanged between the SIM (8) and prepaid card (10) (see Figs. 1-3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Dent and Martineau to have the feature to allow transfer of amounts amongst said internal accounts, in order to provide a prepaid telephone service that has enhanced security, as taught by Martineau (see col. 3, lines 14-16).

Regarding **claims 26, 28-29, and 32**, the claims as applied to claim 25 are rejected for the same reasons set forth above in claims 2, 8-9, and 13 respectively.

Regarding **claims 35 and 45**, Dent discloses a method for tracking account activities relating to use of a wireless device (500) (see col. 6, lines 47-51; Figs. 6-7), comprising:

using software to internally store a plurality of accounts, each with an account balance, on a wireless device (see col. 5, lines 38-50; col. 6, lines 6-43; Figs. 6-7 and 8 “ref. 730”), where the radiotelephone (500) has a cellular subscription and satellite subscription;

selecting one of said a plurality accounts to be charged for a communication (see col. 8, lines 1-5; col. 5, lines 38-50; col. 6, lines 6-43; col. 8, lines 36-41,51-58; Figs. 6-7 and 8 “ref. 730”), where the user of the radiotelephone (500) can select one the subscriptions based on factors such as remaining free minutes and lowest tariffs;

causing the wireless device to be used for said communication (see col. 5, lines 38-50);

calculating charges to be charged against said selected account for said communication using software in the wireless device (see col. 8, lines 1-5; col. 5, lines 38-50; col. 6, lines 6-

43; col. 8, lines 36-41,51-58; Figs. 6-7 and 8 “ref. 730”), where the user of the radiotelephone (500) can select one the subscriptions based on factors such as remaining free minutes and lowest tariffs; and

adjusting the selected internally stored account using the calculated charges (see col. 5, lines 38-39; col. 6, lines 6-43; col. 9, lines 31-50), where the terminal performs computations of cumulative communication usage units. Dent does not specifically disclose having the feature wherein said software allows a transfer of amounts amongst said accounts. However, the examiner maintains that the feature wherein said software allows a transfer of amounts amongst said accounts was well known in the art, as taught by Martineau.

Martineau further discloses the feature wherein said software allows a transfer of amounts amongst said accounts (see col. 7, lines 23-29,35-37; col. 4, lines 2-3), where the handset has a prepaid account and a SIM account in which units are exchanged between the SIM (8) and prepaid card (10) (see Figs. 1-3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Dent and Martineau to have the feature wherein said software allows a transfer of amounts amongst said accounts, in order to provide a prepaid telephone service that has enhanced security, as taught by Martineau (see col. 3, lines 14-16).

Regarding **claim 36**, the claim as applied to claim 35 is rejected for the same reasons set forth above in claims 2 and 26.

Regarding **claim 40**, the claim as applied to claim 35 is rejected for the same reasons set forth above in claims 7 and 18.

Regarding **claim 41**, the claim as applied to claim 35 is rejected for the same reasons set forth above in claims 5 and 16.

Regarding **claim 42**, the combination of Dent and Martineau discloses every limitation claimed, as applied above (see claim 35), in addition Dent further discloses the method according to claim 35 wherein the step of selecting one of a the plurality of accounts to be charged further comprises:

identifying the origin or destination of the communication (see col. 9, lines 26-28,32-35; col. 7, lines 38-41,44-50), where the system has a tariff which is considered for determining which system to use for communication sessions or calls;

selection the one of the plurality of internally stored accounts to be charged based on the identified origin or destination of the communication (see col. 5, lines 38-50; col. 6, lines 6-43; col. 8, lines 36-41,51-58; Figs. 6-7 and 8 “ref. 730”), where the user of the radiotelephone (500) can select one the subscriptions based on factors such as remaining free minutes and lowest tariffs.

Regarding **claim 43**, the claim as applied to claim 35 is rejected for the same reasons set forth above in claims 14 and 24.

Regarding **claim 44**, the claim as applied to claim 35 is rejected for the same reasons set forth above in claims 14 and 24.

**Claim 33** is rejected under 35 U.S.C. 103(a) as being unpatentable over in view of **Dent et al.** (hereinafter Dent) (**US 6,246,870 B1**) in view of **Martineau (US 5,915,226)** as applied to claim 25 above, and further in view of **Carlsson et al.** (hereinafter Carlsson) (**US 6,026,291**).

Regarding **claim 33**, Dent discloses the mobile phone of claim 25 wherein the calls made or received via the first line (e.g., first communication system) include business calls and the calls made or received via the second line (e.g., second communication system) include personal calls (see col. 5, lines 38-50; col. 7, lines 41-50). Dent does not specifically disclose having the feature(s) the first line include business calls. However, the examiner maintains that the feature(s) the first line include business calls was well known in the art, as taught by Carlsson.

In the same field of endeavor, Carlsson discloses the feature(s) the first line include business calls (see col. 3, lines 16-31), where the user of the terminal has subscription accounts for charging calls to either a private and personal subscription.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Dent, Martineau, and Carlsson to have the feature(s) the first line include business calls, in order to provide systems to enable calls to be charged to a selected subscription account, as taught by Carlsson (see col. 1, lines 61-64).

***Response to Arguments***

4. Applicant's arguments filed 28 May 2008 have been fully considered but they are not persuasive.

The Examiner respectfully disagrees with applicant's arguments as the applied reference(s) provide more than adequate support and to further clarify (see the above claims for relevant citations and comments in this section).

5. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Regarding applicant's argument in the par. bridging pgs. 9-10, "...does not disclose software within the wireless device that: (1) internally stores a plurality of accounts on the wireless device, (2) allows a user to adjust the account balances by transferring amongst the internal accounts and (3) selectively charges one of the plurality of internally stored account balances with a charge calculated within the wireless device..."; and on pg. 12, 1<sup>st</sup> full par. "...the accounts with their account balances are stored and maintained on the wireless device itself, rather than at a distant network computer...", the Examiner respectfully disagrees. Applicant has failed to appreciate the combined teachings of well-known prior art Dent and Martineau that clearly discloses the claimed feature(s) as would be clearly recognized by one of ordinary skill in the art. In particular, Dent discloses the language as related to the claimed feature(s)

software within the wireless device (500) to store a plurality of accounts each having an internal account balance (see col. 5, lines 38-50; col. 6, lines 6-43,61-67; Figs. 6-7 and 8 “ref. 730”), where the radiotelephone (500) has a cellular subscription and satellite subscription,

calculates charges (e.g., communication units usage) for a communication involving said wireless device (500) (see col. 5, lines 38-39; col. 6, lines 6-43; col. 9, lines 31-50), where the terminal performs computations of cumulative communication usage units,

a user interface to allow a user to selectively determine which one of the plurality of internally stored accounts will be charged for said communication using said calculated charges (see col. 8, lines 1-5; col. 5, lines 38-50; col. 6, lines 6-43; col. 8, lines 36-41,51-58; Figs. 6-7 and 8 “ref. 730”), where the user of the radiotelephone (500) can select one the subscriptions based on factors such as remaining free minutes and lowest tariffs. As a note, Dent further discloses usage of a smartcard (see col. 5, lines 38-39; col. 6, lines 6-43,61-67; col. 9, lines 31-50), where the terminal utilizing the smartcard performs computations of cumulative communication usage units (see col. 4, lines 21-29). As further support in the same field of endeavor, Martineau discloses the language as related to the claimed feature(s) allow transfer of amounts amongst said internal accounts (see col. 7, lines 23-29,35-37; col. 4, lines 2-3), where the handset has a prepaid account and a SIM account in which units are exchanged between the SIM (8) and prepaid card (10) (see Figs. 1-3). As a note, Martineau at the least further discloses smartcards (8, 10) (see col. 5, lines 18-23; Fig. 1), where the handset manages exchanges between the smartcards (8, 10) in which the smartcards can have a credit (or unit value) (see col. 5, lines 4-10; col. 6, lines 33-35). Therefore, the

combination(s) of the reference(s) Dent, Martineau, and Carlsson as addressed above more than adequately meets the claim limitations.

6. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., ...transferred from a prepaid account to a postpaid...) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Regarding applicant's argument on pg. 11, 2<sup>nd</sup> full par. (see above), the applicant's argument relies on a feature(s) not recited in the claim(s).

7. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., ...third, fourth etc. account balance...) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Regarding applicant's argument on pg. 11, 2<sup>nd</sup> full par. (see above), the applicant's argument relies on a feature(s) not recited in the claim(s).



***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Beaujard et al. (US 6,557,753 B1) discloses a method, a smart card and terminals for effecting transactions through a telecommunication network.

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIE J. DANIEL JR whose telephone number is (571)272-7907. The examiner can normally be reached on 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/WJD,Jr/

WJD,Jr  
24 July 2008

/Charles N. Appiah/  
Supervisory Patent Examiner, Art Unit 2617